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STATE DEPT FOR EUR/NCE - AARON JENSEN

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TAGS: [PGOV](#) [KCOR](#) [KJUS](#) [PREL](#) [RO](#)  
SUBJECT: AMBASSADOR'S MEETING WITH NEW JUSTICE MINISTER  
TUDOR CHIUARIU - "A NEW APPROACH, NOT A NEW POLICY"

REF: BUCHAREST 469

Classified By: CDA A.I. MARK TAPLIN FOR REASONS 1.4 (B) & (D)

¶1. (C) Summary: The newly appointed Liberal Justice Minister Tudor Chiuariu appeared confident and eager to signal his readiness to fight corruption and support judicial reform. He insisted that he would be more effective than his predecessor, the popular Monica Macovei, because he would work more "productively" with Parliament and the magistrates.

This exuberance may signal that the fight against corruption in Romania no longer threatens real interests. By seeking parliament's "goodwill" and lacking the competence to challenge the magistracy, the new Justice Minister is unlikely to emerge as a threat to them. However, Chiuariu's need to appear committed to combating corruption and supporting judicial reform keeps open the prospects for continued cooperation to institutionalize an independent judicial system. End Summary.

¶2. (C) In his April 27 introductory meeting with Justice Minister Tudor Chiuariu, the Ambassador emphasized his hope that the independence of the judiciary would not be influenced by the current political turmoil. He commended Minister Chiuariu on his public commitment not to replace the Chief Prosecutor of the National Anticorruption Department (DNA), Daniel Morar, and gave the new Minister an overview of past Embassy support for establishing, equipping and training the DNA. The Ambassador expressed his desire to continue the close, productive working relationship the Embassy has enjoyed with the Ministry.

¶3. (C) In summarizing his priorities, Chiuariu stated that "my mandate is to continue the mandate of my predecessor. The fight against corruption and the reform of justice will continue, and high-level prosecution of corruption is a key to that." Later, he added, "I assure you I will fight and the government will fight against corruption. It is not in the interest of the government to change persons just for political reasons."

¶4. (C) Minister Chiuariu described his early efforts on bringing a National Integrity Agency (ANI) into being as evidence of his commitment to continue anti-corruption efforts. He insisted that there had been "more progress in two weeks than in the previous two years" on ANI, since he had proposed to toughen the law and had met with and gained the agreement of the Senate's Human Rights Committee for his proposed amendments. Those provisions included reintroducing the monitoring of conflicts of interests, the forfeiture of unjustified wealth based on court decisions, and the prohibition for those with "inexplicable" assets from holding public office for three years. He said a joint meeting with the Senate's Legal Committee would be next and that "in two weeks, the law will be adopted." He added that he would need

to implement it in a short timeframe and said he hoped to have a functioning, independent agency, by the end of the year.

15. (C) In response to the Ambassador's question, Chiuariu said he expected a warmer welcome in Parliament for his approach than that received by his predecessor Macovei because he had established a better relationship with parliamentarians and addressed their concerns that the ANI would be a "weapon in the hand of" President Basescu. He said he would keep the agency from being used for political ends and ensure its independence. He noted there had been a communication breakdown between Macovei and the Parliament, and said he expected to "find a goodwill majority in parliament." Given the lack of communication between Macovei and the Parliament, he went on, it was no surprise that parliamentarians did not understand ANI. Parliament, Chiuariu insisted, understood the government's need to meet its commitments to the EU. He noted that the ANI would control not just parliamentarians who had accumulated unjustified wealth, but would also oversee some five thousand public servants. He described the ANI as an autonomous entity whose supervisory council -- including representatives from each of the parliamentary groups and from civil society -- would periodically report to parliament.

16. (C) Chiuariu cited his intervention to stop the Parliament from rejecting the emergency ordinance establishing the Department for the Investigation of Organized Crime and Terrorism (DIICOT) as more evidence that his tenure would be a "change of approach, not a change of policy." He argued one could not "pursue policy against the Parliament and the Superior Council of Magistrates." He confidently asserted, "We know the Parliament's weaknesses,

BUCHAREST 00000491 002 OF 002

but with better communication it will respect our legislation."

17. (SBU) Chiuariu also recalled how useful U.S. assistance was to the Justice Ministry, including in establishing a law on mediation and in testing the magistrates. He said he would try to increase the specialization of the magistrates so that "justice would become more speedy and professional." He also thanked the Ambassador for U.S. assistance on developing court recording capabilities and said that a request for proposals was about to be issued. He also thanked the Ambassador for pointing out concerns related to trafficking in persons and the proposed legalization of prostitution, should anyone again raise what he labeled "former Interior Minister Blaga's issue."

18. (C) Chiuariu said his ministry would put forward in the autumn draft legislation on a new criminal procedure code. He said he would welcome further discussion of the Ambassador's point on working with the Embassy's Legal Attache to ease the access of foreign victims of cyber crime to the monetary judgments awarded by Romanian courts. Chiuariu also welcomed further exploration of the Ambassador's suggestion to develop with the Resident Legal Advisor a Crime Victims' Assistance Fee to enable victims' assistance programs, including on TIP issues, to achieve sustainable funding. Chiuariu mentioned some progress providing legal representation to those who could not afford it. The Ambassador offered to help arrange a look at the U.S. system for legal assistance. Chiuariu mentioned British help on the subject, but said we would be open to a second opinion.

19. (C) Comment: The new Justice Minister exudes confidence despite his inexperience. However, "better communication" will only get him so far in his dealings with a Parliament seemingly devoted these days in removing the key figures of Romania's recent successes in fighting corruption. Per reftel, there are reasons to believe that Chiuariu, an inexperienced and little-known provincial lawyer, may have

been given the reins of the Ministry for a reason. While we believe there may still be room for the U.S. to work with Chiuariu in many areas, the early signs are that he will not have the clout or the stature of his predecessor Monica Macovei -- and that appears to be exactly what the Liberal Party and its parliamentary allies intended. End comment.

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